
A BILL FOR AN ACT

RELATING TO DRIVER'S LICENSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that accelerated driver's
2 license expiration dates for elderly drivers advance both the
3 safety of those drivers and members of the public as a whole.
4 Nevertheless, the legislature also finds that current laws have
5 created unintended consequences that impose inequitable renewal
6 requirements upon some drivers based on the timing of those
7 expiration dates. A licensee whose license expires on his or
8 her seventy-first birthday, for example, can hold a valid
9 license up to the licensee's seventy-ninth birthday if the
10 licensee obtains a renewal license on his or her seventy-first
11 birthday. A licensee may only hold a valid license up to the
12 licensee's seventy-fourth birthday, however, if he or she
13 obtains a renewal license on his or her seventy-second birthday.

14 The legislature further finds that statutory language that
15 states a license shall expire a certain number of years "after
16 the date of the issuance" of the license, if applied literally,
17 can lead to inconsistent results if applied to renewal licenses.

18 The licensee whose license expires on his or her seventy-second



1 birthday, for example, could hold a valid license up to his or
2 her eightieth birthday if the licensee obtains a renewal license
3 before the licensee's seventy-second birthday. Further, a
4 licensee whose eighty-second birthday and license expiration
5 date occurs on July 1, 2013, and who applies for a renewal
6 license on or before that date, will obtain a renewal license
7 that expires on July 1, 2015. If, however, the licensee applies
8 for renewal on July 2, 2013, the letter of the law requires a
9 renewal license expiration date of July 1, 2016. While the
10 current practices of the respective counties' examiners of
11 drivers may not reflect such an interpretation of the law, the
12 legislature finds that clarification of the law is reasonable
13 and prudent.

14 The purpose of this Act is to make license expiration dates
15 consistent with principles of equity and clarity by:

- 16 (1) Amending the initial age of the implementation of the
17 accelerated license expiration dates for elderly
18 drivers from seventy-two to eighty;
- 19 (2) Requiring all driver's licenses to expire when the
20 licensees reach the age of eighty, but maintaining the
21 licensees' privilege to renew; and
- 22 (3) Clarifying renewal license expiration dates by



1 removing references to "dates of issuance" from the
2 calculations of those dates and replacing them with
3 references to the expiration dates of the licenses
4 being renewed.

5 SECTION 2. Section 286-106, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§286-106 Expiration of licenses.** Every driver's license
8 issued under this subpart, except for a provisional license
9 issued under section 286-102.6 which shall expire on the date of
10 the provisional licensee's nineteenth birthday, whether an
11 original issuance or a renewal, shall expire on the first
12 birthday of the licensee occurring not less than eight years
13 after the applicable reference date [~~of the issuance of~~] for the
14 license, unless sooner revoked or suspended [~~;~~ ~~provided that:~~],
15 and subject to the following conditions, listed in order of
16 importance from least important to most important:

17 (1) The license shall expire on the first birthday of the
18 licensee occurring not less than four years after the
19 applicable reference date [~~of the issuance~~] if [~~;~~ ~~at~~
20 ~~the time~~], on that date, the licensee is or will be
21 twenty-four years of age or younger;



1 (2) The license shall expire on the eightieth birthday of
2 the licensee;

3 [~~+2~~] (3) The license shall expire on the first birthday of
4 the licensee occurring not less than two years after
5 the applicable reference date [~~of the issuance of the~~
6 ~~license~~] if [~~, at the time~~], on that date, the licensee
7 is [~~seventy-two~~] or will be eighty years of age or
8 older; and

9 [~~+3~~] (4) If the licensee is a legal immigrant, the license
10 shall expire no later than the last date of the
11 licensee's authorized period of stay in the United
12 States.

13 The examiner of drivers may issue a license for a shorter
14 period if the licensee has a physical condition or conditions
15 that the examiner of drivers reasonably believes may impair the
16 driver's ability to drive.

17 For the purposes of this section, the "applicable reference
18 date", as applied to an original issuance license, is the date
19 on which the original license was issued, and, as applied to a
20 renewal issuance license, is the expiration date of the license
21 being renewed."



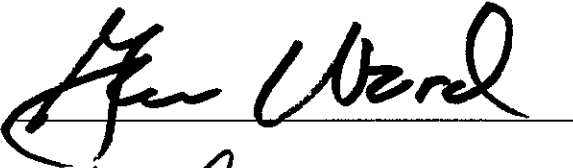

1 SECTION 3. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 4. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act shall take effect upon its approval.

7

INTRODUCED BY:

JAN 22 2013



H.B. NO. 1034

Report Title:

Motor Vehicle Driver Licensing

Description:

Amends the initial age of the implementation of accelerated license expiration dates for elderly drivers from seventy-two to eighty. Requires a driver's license to expire when the licensee reaches the age of eighty, but allows for renewals. Clarifies the language on expiration dates.

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